

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

FILED

JUL 21 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Venue: San Francisco

V.

CRIMINAL COMPLAINT

LAURO ANTONIO VELASQUEZ SANCHEZ
a/k/a MARGARITO SOLIS SANCHEZ
a/k/a SAMUEL SANCHEZ CARVAJAL
a/k/a SAMUEL CARBAJAL SANCHEZ
a/k/a SAMMY C. SANCHEZ
a/k/a SAMUEL CARDAJAL SANCHEZ

CASE NUMBER:

3 08 70455

MEJ

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about July 9, 2008 in Sonoma County, in the Northern District of California defendant,

LAURO ANTONIO VELASQUEZ SANCHEZ (a/k/a MARGARITO SOLIS SANCHEZ, SAMUEL SANCHEZ CARVAJAL, SAMUEAL CARBAJAL SANCHEZ, SAMMY C. SANCHEZ and SAMUEL CARDAJAL SANCHEZ), an alien, after having been removed, excluded, and deported from the United States, was thereafter found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission into the United States, in violation of Title 8 United States Code, Section(s) 1326.

I further state that I am a Deportation Officer and that this complaint is based on the following facts:
Official Title

SEE ATTACHED AFFIDAVIT IN SUPPORT OF THIS COMPLAINT

PENALTIES: Imprisonment for not more than 20 years, a fine of not more than \$250,000.00, a \$100.00 dollar special assessment, and 3 years supervised release.

APPROVED AS TO FORM:

[Signature]
ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Warrant of Arrest Requested: ☐ Yes ☒ No

Bail Amount: **NO BAIL**

[Signature]
Signature of Complainant

Sworn to before me and subscribed in my presence,

7-21-08 at San Francisco, California
Date City and State

Honorable Maria-Elena James
United States Magistrate Judge

Name & Title of Judicial Officer

[Signature]
Signature of Judicial Officer

VELASQUEZ-SANCHEZ was deported from the United States to Mexico on December 19, 1991, July 27, 1993, May 5, 1994, June 18, 1994, September 14, 1994, October 7, 1994, June 11, 2004, March 17, 2008, and March 24, 2008.

5. VELASQUEZ-SANCHEZ last entered the United States illegally on or about April 11, 2008 by voluntarily crossing into Arizona through the international border with Mexico by foot. VELASQUEZ-SANCHEZ knowingly remained in the United States without first having obtained the consent to reapply for admission from the Attorney General of the United States or the United States Secretary of Homeland Security.

6. The official Immigration file for VELASQUEZ-SANCHEZ contains eight executed Warrants of Removal and one Verification of Departure. The Warrants of Removal are dated March 17, 2008, June 11, 2004, October 7, 1994, September 14, 1994, June 18, 1994, May 5, 1994, July 27, 1993 and December 19, 1991. The Verification of Removal is dated March 24, 2008. A second immigration file (A72 712 106) was previously located under the name MARGARITO SOLIS SANCHEZ and has been consolidated into the primary file of (A28 751 675) after a comparison of fingerprints confirmed it was the same individual.

7. On or about July 9, 2008, an Immigration and Customs Enforcement (ICE) agent found VELASQUEZ-SANCHEZ pursuant to his incarceration at Sonoma County Jail in Santa Rosa, California on unrelated charges.

8. On July 15, 2008, ICE Agent Michael Shan interviewed VELASQUEZ-SANCHEZ at the ICE San Francisco District Office located in San Francisco, California. After VELASQUEZ-SANCHEZ was advised of his Miranda rights and the right to speak with the consular or diplomatic officers of his country of citizenship, he admitted that his true name was LAURO ANTONIO VELASQUEZ-SANCHEZ. VELASQUEZ-SANCHEZ admitted that he was a citizen and national of Mexico and that he had been previously deported from the United States. He also admitted that he illegally reentered the United States on April 11, 2008.

9. On July 15, 2008, at the ICE San Francisco District Office, VELASQUEZ-SANCHEZ'S fingerprints and photos were submitted into the Auto Biometric Identification System (IDENT). IDENT information confirmed VELASQUEZ-SANCHEZ'S identity under Fingerprint Identification Number (FINS) 525193.

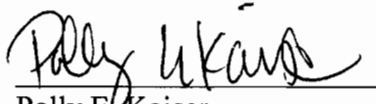
10. On July 18, 2008, a full set of rolled fingerprints belonging to VELASQUEZ-SANCHEZ was submitted to the Automated Fingerprint Identification Center ("AFIS"), for further verification of identity. Along with the full set of prints belonging to VELASQUEZ-SANCHEZ, the single print appearing on each of the eight available Warrants of Removal and one Verification of Removal for LAURO ANTONIO VELASQUEZ-SANCHEZ a/k/a SAMUEL CARDAJAL SANCHEZ, SAMUEL SANCHEZ CARVAJAL, SAMUEL CARBAJAL SANCHEZ and SAMMY C. SANCHEZ were all submitted for comparison. On July 18, 2008 the fingerprint examiner positively identified the fingerprints as belonging to the same

VELASQUEZ-SANCHEZ who had previously been removed from the United States on December 19, 1991, July 27, 1993, May 5, 1994, June 18, 1994, September 14, 1994, October 7, 1994, June 11, 2004, March 17, 2008, and March 24, 2008.

11. There is no indication in ICE's official files that VELASQUEZ-SANCHEZ has applied for or been granted the requisite permission to reenter the United States from either the Attorney General of the United States or the Secretary of Homeland Security.

V. CONCLUSION

12. On the basis of the above information, I submit that probable cause exists to believe that LAURO ANTONIO VELASQUEZ-SANCHEZ a/k/a SAMUEL CARDAJAL SANCHEZ, SAMUEL SANCHEZ CARVAJAL, SAMUEL CARBAJAL SANCHEZ and SAMMY C. SANCHEZ illegally reentered the United States following deportation, in violation of 8 U.S.C. § 1326.



Polly E. Kaiser
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
San Francisco, California

Subscribed and sworn to before me this 21 day of July, 2008.



The Honorable Maria-Elena James
United States Magistrate Judge
Northern District of California
San Francisco, California